

**SALEM PLANNING AND ZONING COMMISSION**

**(PZC)**

**REGULAR MEETING**

**June 17, 2014**

**7:00**

**CALL TO ORDER:** G. Fogarty called the meeting to order at 7:00.

**Present:** G. Fogarty, R. Amato, J. Duncan, R. Savalle, R. LaBonte, E. Wenzel Alt., E. Natoli Alt., G. Walter, V. Smith, J. Gadbois Alt., R. Serra (SECCOG Planner)

**Absent:** None

**Guests** See File Copy

**PUBLIC HEARING:** **SE # 14-04-01, 348 New London Road-Applicant Horace Lindo. Multi Family Dwelling**

R. Serra informed the Commission that all the required information has been submitted by the applicant. He stated the wetlands permit has been obtained, the Fire Marshall and Sanitarian signed off on the project and the certificates of mailing have been received. R. Serra stated there are no conflicts with Section 11.4 of the zoning regulations.

R. Serra explained net buildable area and the history of the shape requirements for net buildable area.

R. Serra stated that because the property will enter and exit onto a state road CT DOT was contacted and the applicant and town received a letter of approval from the state for the driveway.

Wes Wentworth, civil engineer, soil scientist and agent for the applicant gave an overview of the application and the site. He stated there are three, two-bedroom units proposed. He discussed the net buildable area and stated that by the regulations the applicant had to show 80,000 sq. ft. for net buildable area. He stated that although there is enough land to meet the net buildable area it does not meet the parallelogram.

He stated all the requirements are met except for two which appear in section 2.1 (definitions)

The first deals with section 2.1, item 4a which states:

“Contiguous land which is outside of the wetlands Upland Review Area, and which makes up at least seventy-five percent (75%) of the NBA.”

W. Wentworth stated that they have approximately 30-35% outside the upland review.

The second is section 2.1, item 4b-3

“Ledge rock not more than four (4) feet from the surface”

W. Wentworth stated they dug 13 test pits and 3 were just under the required amount.

W. Wentworth stated that all eight items of section 11.4 have been met.

G. Fogarty asked for public comment:

Catherine Rottinghaus-45 Emerald Glen Road. Stated she just moved from New London and remembers multifamily houses there as having problems. She stated she worries that the same thing will happen in Salem if this is allowed and that it is a slippery slope.

Horace Lindo-applicant. Stated he owns a number of multifamily houses and there have not been any problems. He stated that in Salem there are no affordable rentals for young families or seniors to go in to.

G. Getty stated anything Horace builds is first class.

The Commission discussed the access to the units and debated whether it was a road or a driveway. They came to the conclusion it was a driveway and therefore could be 16 ft. wide instead of 20 ft.

The Public Hearing was closed at 7:55

**M/S/C (Duncan/Amato) move to have the Planning and Zoning Commission at its discretion permit an altered Net Buildable Area shape configuration on the Lindo application SE # 14-04-01, 348 New London Road**

G. Fogarty stated the Lindos have demonstrated that they have met the intent of the NBA regulations as demonstrated in compliance with section 3.2.2, items 1-4

**Vote: Approved Unanimously**

**M/S/C (Duncan/Savalle) to approve application SE # 14-04-01, for construction of a multifamily building with three dwelling units at 348 New London Road.**

G. Fogarty noted that the Town Planner has verified all conditions of Section 11.4.1-11.4.8 have been satisfied.

**Vote: Approved Unanimously**

**PETITIONERS:**

1. **Renz Waiver Request of Section 14.6d site plan requirements for excavation**
2. **Avery Waiver Request of Section 14.6d site plan requirements for excavation**
3. **L. Getty Waiver Request of Section 14.6d site plan requirements for excavation**
4. **G. Getty Waiver Request of Section 14.6d site plan requirements for excavation**
5. **Henrici Waiver Request of Section 14.6d site plan requirements for excavation**

**M/S/C (Duncan/Savalle) In that four quarries owned and operated by Garry Getty, Larry Getty, David Henrici, and Ronald Renz have been inspected by the town zoning enforcement officer, Candy Palmer, and each was found to have excavated less than the 5,000 cubic yard maximum per year, we move to approve their respective requests to waive the requirement of a yearly submission of a complete site plan prepared by a professional engineer. Vote: Approved Unanimously**

**M/S/C (Fogarty/Smith) to approve the request of Michael Avery to waive 14.6d of the Salem Zoning Regulations. Vote: Approved Unanimously**

**PUBLIC COMMENT-None**

**APPROVAL OF MINUTES OF PREVIOUS MEETING(S):**

**1. May 20, 2014 Regular Meeting**

**M/S/C (LaBonte/Amato) to approve the May 20, 2014 minutes as presented. Vote: Approved. In favor-Fogarty, Savalle, LaBonte, Amato, Duncan. Opposed-none. Abstaining-Walter, Smith**

**OLD BUSINESS**

**1. Regulation Revision Update**

J. Duncan presented his preliminary outline for determining regulation review/changes. They are: Is it necessary and proper, is it clear and concise, is it fair, is it enforceable, is it in conflict with the rest of the regulations.

**NEW BUSINESS: None**

**ENFORCEMENT OFFICERS REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT: Submitted (see file copy)**

- 1. Town Planner Report-**R. Serra informed the members of the meeting with Salem Economic Development Commission (EDC). He stated the EDC feels they have good relations with all the Boards and Commissions. R. Serra will be doing a brochure for EDC.

**CORRESPONDENCE: None**

**PLUS/DELTAS: The Commission discussed the positive and negative aspects of the meeting.**

**ADJOURNMENT:**

**M/S/C (Savalle/Smith) to adjourn at 8:44 PM. Vote: Approved Unanimously.**

**Respectfully Submitted,  
Sue Spang  
Recording Secretary**